

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISION

EZ Tankless, Inc

Plaintiff,

v.

Civil Action No.: 4:20-cv-00062-TLS-JEM

Judge Theresa L Springmann

Noritz America Corporation

Defendant.

**NOTICE OF AVAILABILITY
OF A UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION**

In accordance with the provisions of Title 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Rule 72-1, a United States Magistrate Judge of this district court is available to conduct any or all proceedings in this case including entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

Because of the dramatic increase in the number of criminal cases in recent years, the district judges give priority to the criminal docket as required by law. Under these circumstances, your case can experience delay, which can result in cost increase, before it can be tried by the district judge. Congress' enactment of the Civil Justice Reform Act requires the Court to give increased attention to addressing costs and delays in resolving civil disputes. The Judicial Conference of the United States encourages the designation of magistrate judges to conduct all proceedings in civil cases, both jury and non-jury. Consent to a magistrate judge will ensure an earlier resolution. Therefore, the parties are encouraged to consent to Jurisdiction by United States Magistrate Judge.

The attached Consent to or Declination of the Exercise of Jurisdiction by a United States Magistrate Judge must be returned to the Clerk of Court within twenty-one (21) days after the initial preliminary pretrial conference. If the Consent Form is not returned within the twenty-one (21) days, then the parties will be reminded of the return requirement by the Clerk's Office and will be given a ten (10) day extension which will be documented in a docket entry. In addition, the parties will be advised the failure to return the Form within the ten (10) day extension period will be brought to the attention of the Court for further action as the Court deems appropriate.

You may, without adverse substantive consequences, decline consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party declines consent, the identity of the parties consenting or declining consent **will not** be communicated to any magistrate judge or district judge.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

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**CONSENT TO OR DECLINATION OF THE EXERCISE
OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE**

Each party to the above-captioned civil matter shall select one of the following two options indicating whether the party will consent or decline to consent to having a Magistrate Judge conduct any and all proceedings in this case, including entry of final judgment, in accordance with the provisions of 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Rule 72-1.

- The party or parties listed below voluntarily consent to having a United States Magistrate Judge conduct all further proceedings in this case to disposition, with direct review by the Seventh Circuit Court of Appeals in the event an appeal is filed.

OR

- The party or parties listed below acknowledge the availability of a United States Magistrate Judge but decline to consent.

Should this case be reassigned from one magistrate to another due to caseload restrictions, recusal, retirement or any other reason, the undersigned may object within thirty (30) days of such reassignment.

Printed Name of Party

Signature of Party or Attorney

Date

NOTE: This Consent to or Declination of the Exercise of Jurisdiction by a United States Magistrate Judge must be returned to the Clerk of Court within twenty-one (21) days after the initial preliminary pretrial conference. If the Consent Form is not returned within the twenty-one (21) days, then the parties will be reminded of the return requirement by the Clerk's Office and given a ten (10) day extension recorded in a docket entry. The failure to return the Form within the ten (10) day extension period will be brought to the attention of the Court for further action as the Court deems appropriate.

Fort Wayne: FWClerks@innd.uscourts.gov
Hammond: HMDClerks@innd.uscourts.gov

South Bend: SBClerks@innd.uscourts.gov
Lafayette: LafClerks@innd.uscourts.gov

To return this form via U.S. Mail, please refer to <http://www.innd.uscourts.gov> for mailing addresses.